UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:23-cy-00183-KDB-DCK

EVELYN T. BURNEY,)	
77.1.100)	
Plaintiff,)	
vs.)	
	ý <u>c</u>	<u>ORDER</u>
)	
WILKES VOCATIONAL)	
SERVICES, INC.,)	
)	
Defendant.)	
)	

THIS MATTER is before the Court on review of the docket in this matter.

Pro se Plaintiff Evelyn T. Burney ("Plaintiff") filed this action on November 9, 2023, against Defendant. [Doc. 1]. Plaintiff is proceeding in forma pauperis. [Docs. 2, 3]. The Court conducted an initial review of Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2). [Doc. 3]. The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff 21 days from December 11, 2023, to amend her Complaint in accordance with the terms of the Court's Order. [Id.]. The Court advised Plaintiff that if she failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 6-7].

More than 21 days have passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice for Plaintiff's failure to prosecute.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

Signed: January 16, 2024

Kenneth D. Bell

United States District Judge